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OFFICE OF PETITIONS

In re Application of
Hindus et al.
Application No. 09/847,201
Filed: May 2, 2001
Attorney Docket No. 60231-302102

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed November 28, 2005, to revive the above-identified application. The petition is also being treated under 37 CFR 1.181 (no fee) as a petition to withdraw the holding of abandonment.

The petition under 37 CFR 1.181 is **granted**.

The petition under 37 CFR 1.137(b) is **dismissed as moot**.

A request to change the address of record signed by an attorney of record was filed on April 3, 2002. For unknown reasons the change of address was not entered for the application.

A non-final Office action was mailed to the incorrect address on September 8, 2004.

A reply to the Office action was not filed and the application became abandoned as of midnight on December 8, 2004.

A new power of attorney and change of address was filed May 5, 2005. The power of attorney and change of address was entered.

A Notice of Abandonment was mailed to a correct address September 7, 2005.

Upon review of *all* the facts and circumstances, the holding of abandonment will be withdrawn.

The Notice of Abandonment is hereby vacated.

Since the petition has been granted under 37 CFR 1.181, petitioner's request to have the petition considered under 37 CFR 1.137(b) is dismissed as moot. No petition fee is required for a petition to withdraw holding of abandonment under 37 CFR 1.181. Therefore, the petition fee of \$1,500 will be credited to petitioner's deposit account.

Technology Center 2613 will be informed of the instant decision so that the examiner may further consider the merits of the application in due course.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


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Office of Petitions